

# Alternative County Government Structures

Report on Research to the Ulster  
County Charter Commission

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Jennifer Schwartz, Deputy Director  
Ulster County Planning

# Research Agenda

## Comparing different county structures

Sample research questions – what are the relationships between:

- County structure, performance, and leadership?
- County structure, size, and expenditures?
- County organizational structure, responsiveness, and service delivery?
- County structure, equity, and democratic decision making?

# Research Agenda

## Data Types

### **Quantitative:**

- Budgets from State Comptroller and County Gov'ts
- Comparative Research on Expenditures
- Census Data

### **Qualitative:**

- Case studies of experiences of other counties
- Structures of other charters and County government functions
- Guest speakers representing a range of viewpoints
- Input from Ulster County leaders and other “stakeholders”

# Research Agenda

## Data Resources

- **ICMA** (International Cities Management Association, [www.icma.org](http://www.icma.org))
- **NYSAC** (New York State Association of Counties, [www.nysac.org](http://www.nysac.org))
- **NACo** (National Association of Counties, [www.naco.org](http://www.naco.org))
- **NCL** (National Civic League, [www.ncl.org](http://www.ncl.org))
- **NYDOS** (NY Department of State, [www.dos.state.ny.us](http://www.dos.state.ny.us))
- **NYOCS** (NY Office of the State Comptroller, [www.osc.state.ny.us](http://www.osc.state.ny.us))
- **Nelson A. Rockefeller Institute of Government** ([www.rockinst.org](http://www.rockinst.org))
- **Academic Journals** (e.g., *Social Science Quarterly*, *Public Administration Review*)

# Five Basic Types of County Structure

1. Board of Supervisors
2. Legislature
3. County Administrator
4. County Manager
5. Elected Executive

# Background

- As of 2002, 3,034 counties in the U.S.
- legal powers and organization vary greatly
- New York State:
  - which has 57 counties (plus New York City)
  - 19 counties have adopted charters
  - 38 have not adopted charters

# General Structure

- **A governing body:** *board of supervisors, county legislature or board of representatives*
- **A county head:** *appointed administrator, or manager, or an elected executive who is the CEO*
- **Separately elected officials with countywide jurisdictions:** *include sheriff, district attorney, county clerk, treasurer, and some judges*
- **Boards or commissions:** *These have statutory authority in some functional areas*
- **Appointed department heads:** *Most administrative departments have single appointed heads*

# Board of Supervisors (Rural)

- Elected town supervisors serve simultaneously as members of the county board
- Terms in both positions converge
- Separately elected supervisors represent cities in the county government.
- County's chief elected officer (CEO) is selected by a vote of his or her peers on the board and usually serves part-time.
- Weighted voting used to meet 1-person-1-vote requirements.
- Administrative responsibility for some functions is vested in independently elected officers, such as a county sheriff, treasurer, coroner, clerk, auditor, assessor, and/or prosecutor.



# Board of Supervisors (Rural) – Advantages and Disadvantages

## ***Advantages:***

- tradition and familiarity
- close connection between town and county government.
- citizens identify more with towns and cities than with counties as their communities
- ties to county government through towns are structurally simpler (i.e., "one less layer," more understandable)

## ***Disadvantages:***

- Town and county priorities may conflict (e.g. tax administration)
- Elected officials serve part-time
- Less control over policy and department functions
- Weighted voting may be challenged
- Criticized as incapable of handling the proper new and larger functional responsibilities of county governments in growing areas

# Legislative

- Legislators elected in partisan elections from single- or multi- member districts
- Number and length of terms vary, based upon local choice
- Chief elected officer (CEO) is selected by peers on board and usually serves part-time
- Administrative responsibility for some functions is vested in independently elected officers, such as a county sheriff, treasurer, coroner, clerk, auditor, assessor, and/or prosecutor

# Legislative – Advantages and Disadvantages

## ***Advantages:***

- Less likelihood of conflicting loyalties between town and county
- Relatively small district sizes may allow close representation of local interests
- Citizens may gain experience in elected local office and grow to higher office
- Constitutional issues connected with weighted voting are avoided

## ***Disadvantages:***

- District lines may not conform to town lines, creating greater complexity in the electoral system, confusing citizens and diminishing political accountability
- Elected officials serve part-time
- Less control over policy and department functions
- Criticized as incapable of handling the proper new and larger functional responsibilities of county governments in growing areas

# Administrator

- Elected legislative body (as the locus of both legislative and executive authority) appoints a part- or full-time chief administrative officer (CAO) to coordinate county departments, prepare budgets, draft ordinances, and oversee program implementation
- Legislative body generally retains the power to appoint line department heads, except those elected county-wide

# Administrator – Advantages and Disadvantages

## ***Advantages:***

- Efficiency is increased because of central management
- Clearer separation between policy-making (board or legislature) and day-to-day administration (administrator)
- Appointment assures accountability to board or legislature
- Power to propose the budget provides leverage with department heads
- Experience, technical abilities and professionalism might facilitate the more effective general functioning of the county's government

## ***Disadvantages:***

- Has no electoral base; can claim no mandate from the public
- Part-time elected officials may not understand the distinction in roles
- If the legislature is divided by partisan or policy differences, the administrator may not be able to get clear policy direction from it
- Visible public leadership on key concerns is less likely
- Because the administrator does not hire or fire department heads, he or she may have difficulty gaining loyalty and responsiveness

# County Manager

- The elected legislative body appoints a county manager who serves at its pleasure and performs executive functions (such as, appointing department heads, hiring staff, administering county programs, drafting budgets, and proposing ordinances)

# County Manager – Advantages and Disadvantages

## ***Advantages:***

- Provides a central locus of administrative accountability while preserving responsiveness to the board or legislature
- Most managers are professionally trained in public administration and engaged in professional associations
- Budgetary making authority, power to hire and fire department provides greater administrative control over department
- Definition of roles and responsibilities in a charter may clarify for elected officials the nature of the Manager's authority, diminishing misunderstandings and role conflict
- Managers have a professional stake in effective governance

## ***Disadvantages:***

- Manager has neither an electoral base nor local roots; can claim no public mandate
- Instability may arise from the manager's career goals outside the county
- Part-time elected officials may not understand the distinction in roles
- If the legislature is divided by partisan or policy differences, the administrator may not be able to get clear policy direction from it

# Elected Executive

- Independently elected by the people to perform specific executive functions (true separation of powers)
- The elected legislative body retains legislative authority, but executive authority is vested in a county executive
- May be given:
  - veto power
  - responsibility for county administration and budget preparation;
  - responsibility for countywide policy leadership
  - authority to execute acts and resolutions of the board; and
  - power over department heads



# Elected Executive – Advantages and Disadvantages

## ***Advantages:***

- Draws power and legitimacy from his or her election
- Likely to have strong local roots and previous political/governmental experience
- The need for strong political base encourages accountability/responsiveness to public
- Responsibility for policy leadership and governmental management is largely centralized
- Full-time leadership
- Clear lines of authority and accountability within the government

## ***Disadvantages:***

- Legislature is diminished in power
- Elected executive may lack the professional training or experience
- Potential for divided partisan control and differences with legislative branch
- Staff with similar competencies may be required for both the legislative and executive branches, especially if partisan control is divided